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Identical letters dated 2 May 2012 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instruction from my Government, I have the honour to transmit herewith a letter that represents the position of the Syrian Arab Republic on the fifteenth report of the Secretary-General on the implementation of Security Council resolution 1559 (2004) (S/2012/244) (see annex).

I would highly appreciate if the present letter and its annex were circulated as a document of the Security Council, before the date of the discussion of the report by the Security Council.

(*Signed*) Louay **Falouh**

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Annex to the identical letters dated 2 May 2012 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

On instructions from my Government, I wish to bring to your attention the position of the Government of the Syrian Arab Republic concerning the fifteenth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004) (S/2012/244).

- The Syrian Arab Republic would like to reaffirm that it respects Lebanon's sovereignty, territorial integrity, unity and political independence.

- With regard to paragraphs 3, 17 and 36, Syria considers it unacceptable that its internal situation continues to be deliberately and inexplicably conflated with the Secretary-General's specific mandate under resolution 1559 (2004), which is concerned fundamentally with monitoring the situation in Lebanon. The Syrian Army operations along the Syrian-Lebanese border, to which the report refers, are legitimate in the context of the Syrian authorities' exercise of their territorial sovereignty in order to prevent terrorist infiltration or arms trafficking into Syrian territory. The information regarding the planting of landmines was taken from unreliable media sources. The report surprisingly states that the killing of a Lebanese journalist was a result of gunfire from the Syrian Army, without allowing for the slightest investigation that could demonstrate the opposite conclusion.

- With regard to paragraphs 5 and 8, Syria reiterates that it does not accept the report's references to the delineation of the Syrian-Lebanese border, which is a bilateral matter; international customary law upholds States' sovereignty in respect of the adoption and implementation of such measures. Syria reaffirms that the real obstacle to the final delineation of the Syrian-Lebanese border is Israel's continued aggression and its occupation of the Syrian Golan and the Shab'a Farms. This occupation makes it impossible to delineate the border in those areas. The international community must take the steps required to compel Israel to withdraw from the Lebanese and Syrian territory which it occupies, in accordance with the resolutions of international legitimacy, including Security Council resolutions 242 (1967) and 338 (1973), and the principle of land for peace, in order to achieve a just and comprehensive peace in the region. The reference to "Lebanese and non-Lebanese militias" necessarily raises the question of why there is no recommendation to take action against the armed terrorist groups that work against Syria, carrying out killings, terrorism and arms trafficking from parts of Lebanese territory.

- With regard to paragraph 9, the Syrian Arab Republic affirms that most of those fleeing to Lebanon are either members of armed terrorist groups wanted by the Syrian justice system, or persons who have been forced by those groups to leave their homes in order to create a humanitarian crisis and bring about foreign intervention under humanitarian pretexts. As regards the Syrian Army operations mentioned in the report, Syria affirms that all such operations took place within Syrian territory. Any statement to the contrary in the report is

incorrect. The report's purported concern for the stability and territorial integrity of Lebanon is belied by the lack of any concomitant concern for its security and independence, which would require prevailing on Israel to withdraw from the Lebanese territory it continues to occupy, and exercising effective pressure in order to prevent and put an end to all Israeli violations of Lebanese sovereignty, including air violations.

- With regard to paragraph 11 of the report, the Syrian Arab Republic reaffirms its position that the real obstacle to the resolution of the Shab'a Farms question is Israel's continued occupation of those Farms and the Syrian Golan, and its refusal to comply with resolutions of international legitimacy. The border cannot be delineated until Israel withdraws from the Shab'a Farms area because it is impossible to delineate the border while that area remains occupied.

- With regard to paragraph 20, the report effectively states, on the basis of accounts from Lebanese officials, that arms transfers are taking place into Syrian territory. It goes on, however, to say that the United Nations does not have the means to verify that information independently. Yet paradoxically, the report does contain a pronouncement of the United Nations concerning Syria's supposed responsibility for the killing of a Lebanese journalist, whereas there has been no definitive judgment on the matter.

- With regard to paragraphs 24 and 43, concerning Palestinian armed groups outside the camps, Syria affirms that the Palestinian presence in Lebanon is governed by Lebanese-Palestinian agreements which do not concern Syria. With respect to the Palestinian positions located along the Syrian-Lebanese border that are noted in the report, we reiterate that all those positions lie within Lebanese territory. Therefore, Syria cannot intervene in that matter, which is, from a historical perspective, linked to the ultimate causes of the Palestinian presence in Lebanon and other neighbouring States, including Syria. Those causes come down to the continued Israeli occupation of Palestinian territories and its refusal to implement the resolutions of international legitimacy, including Security Council resolutions 242 (1967) and 338 (1973) and General Assembly resolution 194 (III), which guarantees the Palestine refugees' right to return to the homes from which they were expelled.

- The Syrian Arab Republic rejects the conclusions drawn, which are completely devoid of any firm or tangible evidence, as well as the unfair assessment contained in paragraph 37 of the report. Moreover, Syria is surprised that the report ignores the reality that the Syrian-Lebanese border is being used by armed terrorist groups backed by certain Lebanese political circles to smuggle weapons that have, in recent times, caused the death of thousands of innocent Syrians.

- Syria once again calls on the international community to play a positive and effective role in promoting the stability and civil peace of Lebanon, and the integrity of its borders and territory, by acting to end Israel's occupation of the remaining Lebanese territory, something that would have a positive impact on Syria and the entire region.